

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 22, 2022

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 22, 2022

The Senate met in regular session at 9:09 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jesse Green, member of the Senate from Boone County, Boone, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Monday, February 21, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2078](#), a bill for an act relating to the provision of certified copies of wills.

Read first time and attached to **similar** [Senate File 2240](#).

[House File 2080](#), a bill for an act relating to school districts that share operational functions, including operational functions in the areas of superintendent management and special education director, and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

[House File 2097](#), a bill for an act relating to forfeiture of bail.

Read first time and referred to committee on **Judiciary**.

[House File 2123](#), a bill for an act authorizing a criminal or juvenile justice agency to redisseminate driver's license photos in missing persons cases, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

[House File 2124](#), a bill for an act relating to airport registration and site approval by the department of transportation.

Read first time and attached to companion [Senate File 2140](#).

[House File 2126](#), a bill for an act relating to the comprehensive financial report of the state and including effective date provisions.

Read first time and attached to companion [Senate File 2087](#).

[House File 2152](#), a bill for an act relating to the duties of the revenue estimating conference, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

[House File 2155](#), a bill for an act relating to preneed sellers and purchase agreements for cemetery merchandise, funeral merchandise, and funeral services, providing penalties, and including applicability provisions.

Read first time and attached to companion [Senate File 2194](#).

[House File 2416](#), a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, regent institution, community college, and certain other institution of higher education athletics based on sex, and including effective date provisions.

Read first time and attached to **similar** [Senate File 2342](#).

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced to the Senate chamber Michael Cavin, the Governor's appointee to be the Executive Director of the Board of Educational Examiners. He was the guest of the committee on Education.

The Secretary of the Senate introduced to the Senate chamber Andrew Boettger, the Governor's appointee to be the Chair of the Board of Parole. He was the guest of the committee on Judiciary.

The Secretary of the Senate introduced to the Senate chamber Erik Helland, the Governor's appointee to be the Chair and member of the Public Employment Relations Board. He was the guest of the committee on Labor and Business Relations.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:05 a.m., President Chapman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2119, 2279, 2285, and 2176.

Senate File 2119

On motion of Senator Cournoyer, [Senate File 2119](#), a bill for an act relating to cosmetology and the practice of threading, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2119](#)), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2279

On motion of Senator Klimesh, [Senate File 2279](#), a bill for an act regarding electronic submission of bids for public improvement contracts, was taken up for consideration.

Senator Klimesh offered amendment [S-5014](#), filed by him on February 21, 2022, to page 1 of the bill, and moved its adoption.

Amendment [S-5014](#) was adopted by a voice vote.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2279](#)), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2285](#)

On motion of Senator Klimesh, [Senate File 2285](#), a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction, was taken up for consideration.

Senator Klimesh offered amendment [S-5013](#), filed by him on February 21, 2022, to pages 1–2 of the bill, and moved its adoption.

Amendment [S-5013](#) was adopted by a voice vote.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2285](#)), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2176](#)

On motion of Senator Shipley, [Senate File 2176](#), a bill for an act relating to programs within the department of natural resources, including specifications of procedures relating to solid waste disposal and the repeal of the state interagency Missouri river authority and the mercury-free recycling Act, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2176](#)), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2119, 2176, 2279, and 2285** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2296 and 2311.

[Senate File 2296](#)

On motion of Senator Dawson, [Senate File 2296](#), a bill for an act relating to a peace officer’s search of garbage placed outside of a person’s residence for waste collection in a publicly accessible area, was taken up for consideration.

The Senate stood at ease at 10:24 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 10:46 a.m., President Chapman presiding.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2296](#)), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2311](#)

On motion of Senator Driscoll, [Senate File 2311](#), a bill for an act relating to the adoption and use of certain general permits issued by the department of natural resources, was taken up for consideration.

Senator Driscoll moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2311](#)), the vote was:

Yeas, 36:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Driscoll	Edler	Garrett
Goodwin	Green	Guth	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Nunn	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zumbach

Nays, 13:

Bolkcom	Celsi	Dotzler	Giddens
Hogg	Jochum	Mathis	Petersen
Quirmbach	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2296** and **2311** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:10 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:33 p.m., President Chapman presiding.

QUORUM CALL

Senator Goodwin requested a nonrecord roll call to determine that a quorum was present. The Chair declared a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mathis, until she returns, on request of Senator Wahls.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2324, 2334, and 2128.

Senate File 2324

On motion of Senator R. Smith, [Senate File 2324](#), a bill for an act relating to the designation of real estate teams and the display of real estate licenses, and including applicability provisions, was taken up for consideration.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2324](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Mathis Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2334

On motion of Senator Cournoyer, [Senate File 2334](#), a bill for an act relating to shotguns that may be used to hunt turkey, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2334](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Mathis Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2128

On motion of Senator Sweeney, [Senate File 2128](#), a bill for an act relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty, was taken up for consideration.

Senator Sweeney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2128](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Mathis	Zaun
--------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2128, 2324, and 2334** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Cournoyer, the Senate adjourned at 1:51 p.m. until 9:00 a.m., Wednesday, February 23, 2022.

APPENDIX

INTRODUCTION OF RESOLUTION

[Senate Resolution 102](#), by Koelker, a resolution designating February 23, annually, as Utility Worker Appreciation Day.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED

[SSB 3151](#) **Ways and Means**

Relating to property law, including mobile homes and manufactured housing, rental agreements, landlord and tenant remedies for retaliation, wrongful failure to provide essential services, rent increases, the sale of manufactured home community or mobile home park, the repeal of the manufactured home community and mobile home tax, forcible entry and detainer actions, abandoned mobile homes, and including effective date and applicability provisions.

[SSB 3152](#) **Ways and Means**

Relating to aircraft, including special certificates issued to aircraft manufacturers, transporters, and dealers, and sales and use tax exemptions associated with aircraft, providing fees, making penalties applicable, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2230](#)

WAYS AND MEANS: Sweeney, Chair; Green and Petersen

[Senate File 2280](#)

WAYS AND MEANS: Green, Chair; Goodwin and Quirmbach

[Senate File 2281](#)

WAYS AND MEANS: Goodwin, Chair; Dickey and Quirmbach

[Senate File 2306](#)

APPROPRIATIONS: Koelker, Chair; Celsi and Johnson

[Senate File 2318](#)

WAYS AND MEANS: Dawson, Chair; Goodwin and T. Taylor

[Senate File 2326](#)

WAYS AND MEANS: Goodwin, Chair; Dawson and T. Taylor

[Senate File 2349](#)

APPROPRIATIONS: Rozenboom, Chair; Celsi and Cournoyer

[Senate File 2350](#)

WAYS AND MEANS: R. Smith, Chair; Dawson and Jochum

[Senate File 2353](#)

WAYS AND MEANS: Dawson, Chair; Dotzler and Zaun

[Senate File 2354](#)

APPROPRIATIONS: Costello, Chair; Edler and Petersen

[Senate File 2361](#)

WAYS AND MEANS: Brown, Chair; Jochum and R. Smith

[House File 2080](#)

EDUCATION: Rozenboom, Chair; Kraayenbrink and J. Smith

[House File 2097](#)
(Reassigned)

JUDICIARY: Rowley, Chair; Bisignano and J. Taylor

[House File 2123](#)

JUDICIARY: Reichman, Chair; Johnson and Kinney

[SSB 3151](#)

WAYS AND MEANS: Sinclair, Chair; Dawson and Quirnbach

[SSB 3152](#)

WAYS AND MEANS: Dawson, Chair; Dotzler and R. Smith

AMENDMENTS FILED

<u>S-5015</u>	<u>S.F. 2329</u>	Tom Shipley
<u>S-5016</u>	<u>S.F. 2277</u>	Mike Klimesh